

## **EXHIBIT W-16**

All Defendants abandoned, waived and forfeited filing answers or valid Rule 12 motion, or Rule 12 motions, to Plaintiff's, Second and Third Amended Complaint(ECF Nos.10,36) within the 21 or 28 days' required time span; both the ones who accepted and the ones who willfully rejected Plaintiff's properly served Summonses and copies of Complaint(ECF Nos.10,36), Defendants even violated Order(ECF Nos., 35,56), to file responses within 14, and 28 days after R&R, and did not appeal Orders, Final Judgment(ECF Nos.25,35,56,62,67, 68) and did not file any motion to safeguard any rights, and forfeited any rights they may have had, **because they relied on the District Court to defend them, Plaintiff contends, Praise GOD!, for appellate review, and now that their plan failed,** yet the Magistrate Judge Denied Plaintiff's default and default judgment entrance against all same Defendants, which are required as a matter of law.

**The Magistrate Judge's Orders (ECF Nos.91,96), Denying Plaintiff's default and default judgment entrance against all same Defendants, left Plaintiff, and his Family feeling worse than, both, "The character in the Roy Nixion's Cartoon" and, "The Honorable Robert J. Jonker", in the case, "In Employers Insurance of Wausau v. McGraw-Edison Co." combine!**

**Please see Cartton Character below:**

# Court Uses Cartoon to “Illustrate” Duty of Candor for Counsel

December 12, 2014

In *Employers Insurance of Wausau v. McGraw-Edison Co.*, the Honorable Robert J. Jonker literally illustrated his confusion (and frustration) with counsel for one of the parties by starting an order with the following cartoon:



"WELL, WAS IT SOMETHING I SAID?"

**CERTIFICATE OF SERVICE**

The undersigned states that on the 19<sup>th</sup> day of January 2024, a duplicate original of Plaintiff's, "Omitted Appeal (ECF Nos.109, 110), Exhibit W-16), was filed with the Clerk of the Court, using the ECF System, which will provide electric notice to the parties of record, and I have emailed/mailed by U.S. Postal Service the same to non-ECP participants.

Respectfully Submitted,

Dated: January 19, 2023,

\S/ Owen W. Barnaby  
Owen W. Barnaby, In Pro Se.